

107TH CONGRESS
1ST SESSION

S. 437

To revise and extend the Safe and Drug-Free Schools and Communities
Act of 1994.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2001

Mr. DEWINE (for himself, Mr. DODD, Mrs. MURRAY, and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To revise and extend the Safe and Drug-Free Schools and
Communities Act of 1994.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe and Drug-Free
5 Schools and Communities Reauthorization Act”.

6 **SEC. 2. AMENDMENT TO THE ELEMENTARY AND SEC-**
7 **ONDARY EDUCATION ACT OF 1965.**

8 Title IV of the Elementary and Secondary Education
9 Act of 1965 (20 U.S.C. 7101 et seq.) is amended to read
10 as follows:

1 **“TITLE IV—SAFE AND DRUG-**
2 **FREE SCHOOLS AND COMMU-**
3 **NITIES**

4 **“SEC. 4001. SHORT TITLE.**

5 “This part may be cited as the ‘Safe and Drug-Free
6 Schools and Communities Act of 1994’.

7 **“SEC. 4002. FINDINGS.**

8 “Congress makes the following findings:

9 “(1) Every student should attend a school in a
10 drug- and violence-free learning environment.

11 “(2) The widespread illegal use of alcohol and
12 drugs among the Nation’s secondary school stu-
13 dents, and increasingly by students in elementary
14 schools as well, constitutes a grave threat to such
15 students’ physical and mental well-being, and signifi-
16 cantly impedes the learning process. For example,
17 data show that students who drink tend to receive
18 lower grades and are more likely to miss school be-
19 cause of illness than students who do not drink.

20 “(3) Drug and violence prevention programs
21 are essential components of a comprehensive strat-
22 egy to promote school safety, youth development,
23 positive school outcomes, and to reduce the demand
24 for and illegal use of alcohol, tobacco and drugs
25 throughout the Nation. Schools, local organizations,

1 parents, students, and communities throughout the
 2 Nation have a special responsibility to work together
 3 to combat the continuing epidemic of violence and il-
 4 legal drug use and should measure the success of
 5 their programs against clearly defined goals and ob-
 6 jectives.

7 “(4) Drug and violence prevention programs
 8 are most effective when implemented within a re-
 9 search-based, drug and violence prevention frame-
 10 work of proven effectiveness.

11 “(5) Research clearly shows that community
 12 contexts contribute to substance abuse and violence.

13 “(6) Substance abuse and violence are intri-
 14 cately related and must be dealt with in a holistic
 15 manner.

16 “(7) Research has documented that parental
 17 behavior and environment directly influence a child’s
 18 inclination to use alcohol, tobacco or drugs.

19 **“SEC. 4003. PURPOSE.**

20 “The purpose of this part is to support programs that
 21 prevent violence in and around schools and prevent the
 22 illegal use of alcohol, tobacco, and drugs, involve parents,
 23 and are coordinated with related Federal, State, school,
 24 and community efforts and resources, through the provi-
 25 sion of Federal assistance to—

1 “(1) States for grants to local educational agen-
2 cies and educational service agencies and consortia
3 of such agencies to establish, operate, and improve
4 local programs of school drug and violence preven-
5 tion, early intervention, rehabilitation referral, and
6 education in elementary and secondary schools for
7 the development and implementation of policies that
8 set clear and appropriate standards regarding the il-
9 legal use of alcohol, tobacco and drugs, and for vio-
10 lent behavior (including intermediate and junior high
11 schools);

12 “(2) States for grants to, and contracts with,
13 community-based organizations and other public and
14 private nonprofit agencies and organizations for pro-
15 grams of drug and violence prevention including
16 community mobilization, early intervention, rehabili-
17 tation referral, and education;

18 “(3) States for development, training, technical
19 assistance, and coordination activities; and

20 “(4) public and private nonprofit organizations
21 to provide technical assistance, conduct training,
22 demonstrations, and evaluation, and to provide sup-
23 plementary services and community mobilization ac-
24 tivities for the prevention of drug use and violence
25 among students and youth.

1 **“SEC. 4004. FUNDING.**

2 “There are authorized to be appropriated—

3 “(1) \$700,000,000 for fiscal year 2002, and
 4 such sums as may be necessary for each of the 4
 5 succeeding fiscal years, for State grants under part
 6 A;

7 “(2) \$150,000,000 for fiscal year 2002, and
 8 such sums as may be necessary for each of the 4
 9 succeeding fiscal years, for national programs under
 10 part B; and

11 “(3) \$75,000,000 for fiscal year 2002, and such
 12 sums as may be necessary for each of the 4 suc-
 13 ceeding fiscal years, for the National Coordinator
 14 Initiative under section 4122.

15 **“PART A—STATE GRANTS FOR DRUG AND**
 16 **VIOLENCE PREVENTION PROGRAMS**

17 **“SEC. 4111. RESERVATIONS AND ALLOTMENTS.**

18 “(a) RESERVATIONS.—From the amount made avail-
 19 able under section 4004(1) to carry out this part for each
 20 fiscal year, the Secretary—

21 “(1) shall reserve 1 percent of such amount for
 22 grants under this part to Guam, American Samoa,
 23 the Virgin Islands, and the Commonwealth of the
 24 Northern Mariana Islands, to be allotted in accord-
 25 ance with the Secretary’s determination of their re-
 26 spective needs;

1 “(2) shall reserve 1 percent of such amount for
 2 the Secretary of the Interior to carry out programs
 3 under this part for Indian youth;

4 “(3) may reserve not more than \$2,000,000 for
 5 the national impact evaluation required by section
 6 4117(a); and

7 “(4) shall reserve 0.2 percent of such amount
 8 for programs for Native Hawaiians under section
 9 4118.

10 “(b) STATE ALLOTMENTS.—

11 “(1) IN GENERAL.—Except as provided in para-
 12 graph (2), the Secretary shall, for each fiscal year,
 13 allocate among the States—

14 “(A) one-half of the remainder not re-
 15 served under subsection (a) according to the
 16 ratio between the school-aged population of
 17 each State and the school-aged population of all
 18 the States; and

19 “(B) one-half of such remainder according
 20 to the ratio between the amount each State re-
 21 ceived under section 1124A for the preceding
 22 year and the sum of such amounts received by
 23 all the States.

24 “(2) MINIMUM.—For any fiscal year, no State
 25 shall be allotted under this subsection an amount

1 that is less than one-half of 1 percent of the total
 2 amount allotted to all the States under this sub-
 3 section.

4 “(3) REALLOTMENT.—The Secretary may
 5 reallot any amount of any allotment to a State if the
 6 Secretary determines that the State will be unable to
 7 use such amount within 2 years of such allotment.
 8 Such reallotments shall be made on the same basis
 9 as allotments are made under paragraph (1).

10 “(4) DEFINITIONS.—In this subsection:

11 “(A) STATE.—The term ‘State’ means
 12 each of the 50 States, the District of Columbia,
 13 and the Commonwealth of Puerto Rico.

14 “(B) LOCAL EDUCATIONAL AGENCY.—The
 15 term ‘local educational agency’ includes edu-
 16 cational service agencies and consortia of such
 17 agencies.

18 “(c) LIMITATION.—Amounts appropriated under sec-
 19 tion 4004(2) for a fiscal year may not be increased above
 20 the amounts appropriated under such section for the pre-
 21 vious fiscal year unless the amounts appropriated under
 22 section 4004(1) for the fiscal year involved are at least
 23 10 percent greater than the amounts appropriated under
 24 such section 4004(1) for the previous fiscal year.

1 **“SEC. 4112. STATE APPLICATIONS.**

2 “(a) IN GENERAL.—In order to receive an allotment
3 under section 4111 for any fiscal year, a State shall sub-
4 mit to the Secretary, at such time as the Secretary may
5 require, an application that—

6 “(1) contains a comprehensive plan for the use
7 of funds by the State educational agency and the
8 chief executive officer to provide safe, orderly, and
9 drug-free schools and communities;

10 “(2) contains the results of the State’s needs
11 assessment for drug and violence prevention pro-
12 grams, which shall be based on the results of on-
13 going State evaluation activities, including data on
14 the incidence and prevalence, age of onset, percep-
15 tion of health risk, and perception of social dis-
16 approval of drug use and violence by youth in
17 schools and communities and the prevalence of risk
18 or protective factors, buffers or assets or other re-
19 search-based variables in the school and community;

20 “(3) contains assurances that the sections of
21 the application concerning the funds provided to the
22 chief executive officer and the State educational
23 agency were developed together, with each such offi-
24 cer or State representative, in consultation and co-
25 ordination with appropriate State officials and oth-
26 ers, including the chief State school officer, the chief

1 executive officer, the head of the State alcohol and
2 drug abuse agency, the heads of the State health
3 and mental health agencies, the head of the State
4 criminal justice planning agency, the head of the
5 State child welfare agency, the head of the State
6 board of education, or their designees, and rep-
7 resentatives of parents, students, and community-
8 based organizations;

9 “(4) contains an assurance that the State will
10 cooperate with, and assist, the Secretary in con-
11 ducting a national impact evaluation of programs re-
12 quired by section 4117(a);

13 “(5) contains assurances that the State edu-
14 cation agency and the Governor will develop their re-
15 spective applications in consultation with an advisory
16 council that includes, to the extent practicable, rep-
17 resentatives from school districts, businesses, par-
18 ents, youth, teachers, administrators, pupil services
19 personnel, private schools, appropriate State agen-
20 cies, community-based organization, the medical pro-
21 fession, law enforcement, the faith-based community
22 and other groups with interest and expertise in alco-
23 hol, tobacco, drug, and violence prevention;

24 “(6) contains assurances that the State edu-
25 cation agency and the Governor involve the rep-

1 representatives described in paragraph (5), on an ongoing
2 basis, to review program evaluations and other
3 relevant material and make recommendations to the
4 State education agency and the Governor on how to
5 improve their respective alcohol, tobacco, drug, and
6 violence prevention programs;

7 “(7) contains a list of the State’s results-based
8 performance measures for drug and violence prevention,
9 that shall—

10 “(A) be focused on student behavior and
11 attitudes and be derived from the needs assessment;
12 ment;

13 “(B) include targets and due dates for the
14 attainment of such performance measures; and

15 “(C) include a description of the procedures
16 that the State will use to inform local
17 educational agencies of such performance measures
18 for assessing and publicly reporting
19 progress toward meeting such measures or revising
20 them as needed; and

21 “(8) includes any other information the Secretary
22 may require.

23 “(b) STATE EDUCATIONAL AGENCY FUNDS.—A
24 State’s application under this section shall also contain a

1 comprehensive plan for the use of funds under section
2 4113(a) by the State educational agency that includes—

3 “(1) a plan for monitoring the implementation
4 of, and providing technical assistance regarding, the
5 drug and violence prevention programs conducted by
6 local educational agencies in accordance with section
7 4116;

8 “(2) a description of how the State educational
9 agency will use funds under section 4113(b), includ-
10 ing how the agency will receive input from parents
11 regarding the use of such funds;

12 “(3) a description of how the State educational
13 agency will coordinate such agency’s activities under
14 this part with the chief executive officer’s drug and
15 violence prevention programs under this part and
16 with the prevention efforts of other State agencies;
17 and

18 “(4) a description of the procedures the State
19 educational agency will use to review applications
20 from and allocate funding to local educational agen-
21 cies under section 4115 and how such review will re-
22 ceive input from parents.

23 “(c) GOVERNOR’S FUNDS.—A State’s application
24 under this section shall also contain a comprehensive plan
25 for the use of funds under section 4114(a) by the chief

1 executive officer that includes, with respect to each activity
2 to be carried out by the State—

3 “(1) a description of how the chief executive of-
4 ficer will coordinate such officer’s activities under
5 this part with the State educational agency and
6 other State agencies and organizations involved with
7 drug and violence prevention efforts;

8 “(2) a description of how funds reserved under
9 section 4114(a) will be used so as not to duplicate
10 the efforts of the State educational agency and local
11 educational agencies with regard to the provision of
12 school-based prevention efforts and services and how
13 those funds will be used to serve populations not
14 normally served by the State educational agency,
15 such as school dropouts and youth in detention cen-
16 ters;

17 “(3) a description of how the chief executive of-
18 ficer will award funds under section 4114(a) and a
19 plan for monitoring the performance of, and pro-
20 viding technical assistance to, recipients of such
21 funds;

22 “(4) a description of the special outreach activi-
23 ties that will be carried out to maximize the partici-
24 pation of community-based nonprofit organizations

1 of demonstrated effectiveness which provide services
2 in low-income communities;

3 “(5) a description of how funds will be used to
4 support community-wide comprehensive drug and vi-
5 olence prevention planning and community mobiliza-
6 tion activities; and

7 “(6) a specific description of how input from
8 parents will be sought regarding the use of funds
9 under section 4114(a).

10 “(d) PEER REVIEW.—The Secretary shall use a peer
11 review process in reviewing State applications under this
12 section.

13 “(e) INTERIM APPLICATION.—Notwithstanding any
14 other provisions of this section, a State may submit for
15 fiscal year 2001 a 1-year interim application and plan for
16 the use of funds under this part that are consistent with
17 the requirements of this section and contain such informa-
18 tion as the Secretary may specify in regulations. The pur-
19 pose of such interim application and plan shall be to afford
20 the State the opportunity to fully develop and review such
21 State’s application and comprehensive plan otherwise re-
22 quired by this section. A State may not receive a grant
23 under this part for a fiscal year subsequent to fiscal year
24 2001 unless the Secretary has approved such State’s ap-

1 plication and comprehensive plan in accordance with this
 2 part.

3 **“SEC. 4113. STATE AND LOCAL EDUCATIONAL AGENCY PRO-**
 4 **GRAMS.**

5 “(a) USE OF FUNDS.—An amount equal to 80 per-
 6 cent of the total amount allocated to a State under section
 7 4111 for each fiscal year shall be used by the State edu-
 8 cational agency and its local educational agencies for drug
 9 and violence prevention activities in accordance with this
 10 section.

11 “(b) STATE LEVEL PROGRAMS.—

12 “(1) IN GENERAL.—A State educational agency
 13 shall use not more than 5 percent of the amount
 14 available under subsection (a) for activities such
 15 as—

16 “(A) voluntary training and technical as-
 17 sistance concerning drug and violence preven-
 18 tion for local educational agencies and edu-
 19 cational service agencies, including teachers, ad-
 20 ministrators, coaches and athletic directors,
 21 other staff, parents, students, community lead-
 22 ers, health service providers, local law enforce-
 23 ment officials, and judicial officials;

24 “(B) the development, identification, dis-
 25 semination, and evaluation of the most readily

1 available, accurate, and up-to-date drug and vi-
2 olence prevention curriculum materials (includ-
3 ing videotapes, software, and other technology-
4 based learning resources), for consideration by
5 local educational agencies;

6 “(C) making available to local educational
7 agencies cost effective research-based programs
8 for youth violence and drug abuse prevention;

9 “(D) demonstration projects in drug and
10 violence prevention, including service-learning
11 projects;

12 “(E) training, technical assistance, and
13 demonstration projects to address violence asso-
14 ciated with prejudice and intolerance;

15 “(F) financial assistance to enhance re-
16 sources available for drug and violence preven-
17 tion in areas serving large numbers of economi-
18 cally disadvantaged children or sparsely popu-
19 lated areas, or to meet other special needs con-
20 sistent with the purposes of this part; and

21 “(G) the evaluation of activities carried out
22 within the State under this part.

23 “(2) SPECIAL RULE.—A State educational
24 agency may carry out activities under this subsection
25 directly, or through grants or contracts.

1 “(c) STATE ADMINISTRATION.—

2 “(1) IN GENERAL.—A State educational agency
3 may use not more than 5 percent of the amount re-
4 served under subsection (a) for the administrative
5 costs of carrying out its responsibilities under this
6 part.

7 “(2) UNIFORM MANAGEMENT INFORMATION
8 AND REPORTING SYSTEM.—In carrying out its re-
9 sponsibilities under this part, a State shall imple-
10 ment a uniform management information and re-
11 porting system that includes information on the
12 types of curricula, programs and services provided
13 by the State, Governor, local education agencies, and
14 other recipients of funds under this title.

15 “(d) LOCAL EDUCATIONAL AGENCY PROGRAMS.—

16 “(1) IN GENERAL.—A State educational agency
17 shall distribute not less than 91 percent of the
18 amount made available under subsection (a) for each
19 fiscal year to local educational agencies in accord-
20 ance with this subsection.

21 “(2) DISTRIBUTION.—A State educational
22 agency shall distribute amounts under paragraph (1)
23 in accordance with any one of the following subpara-
24 graphs:

1 “(A) ENROLLMENT AND COMBINATION AP-
2 PROACH.—Of the amount distributed under
3 paragraph (1), a State educational agency shall
4 distribute

5 “(i) at least 70 percent of such
6 amount to local educational agencies,
7 based on the relative enrollments in public
8 and private nonprofit elementary and sec-
9 ondary schools within the boundaries of
10 such agencies; and

11 “(ii) not to exceed 30 percent of any
12 amounts remaining after amounts are dis-
13 tributed under clause (i)—

14 “(I) to each local educational
15 agency in an amount determined ap-
16 propriate by the State education agen-
17 cy; or

18 “(II) to local educational agen-
19 cies that the State education agency
20 determines have the greatest need for
21 additional funds to carry out drug
22 and violence prevention programs au-
23 thorized by this part.

24 “(B) COMPETITIVE AND NEED AP-
25 PROACH.—Of the amount distributed under

1 paragraph (1), a State educational agency shall
2 distribute—

3 “(i) not to exceed 70 percent of such
4 amount to local educational agencies that
5 the State agency determines, through a
6 competitive process, have the greatest need
7 for funds to carry out drug and violence
8 prevention programs based on criteria es-
9 tablished by the State agency and author-
10 ized under this part; and

11 “(ii) at least 30 percent of any
12 amounts remaining after amounts are dis-
13 tributed under clause (i) to local education
14 agencies that the State agency determines
15 have a need for additional funds to carry
16 out the program authorized under this
17 part.

18 “(3) CONSIDERATION OF OBJECTIVE DATA.—

19 For purposes of paragraph (2), in determining which
20 local educational agencies have the greatest need for
21 funds, the State educational agency shall consider
22 objective data which may include—

23 “(A) high or increasing rates of alcohol or
24 drug use among youth;

1 “(B) high or increasing rates of victimiza-
2 tion of youth by violence and crime;

3 “(C) high or increasing rates of arrests
4 and convictions of youth for violent or drug- or
5 alcohol-related crime;

6 “(D) the extent of illegal gang activity;

7 “(E) high or increasing incidence of vio-
8 lence associated with prejudice and intolerance;

9 “(F) high or increasing rates of referrals
10 of youths to drug and alcohol abuse treatment
11 and rehabilitation programs;

12 “(G) high or increasing rates of referrals
13 of youths to juvenile court;

14 “(H) high or increasing rates of expulsions
15 and suspensions of students from schools;

16 “(I) high or increasing rates of reported
17 cases of child abuse and domestic violence; and

18 “(J) high or increasing rates of drug re-
19 lated emergencies or deaths.

20 “(e) REALLOCATION OF FUNDS.—If a local edu-
21 cational agency chooses not to apply to receive the amount
22 allocated to such agency under subsection (d), or if such
23 agency’s application under section 4115 is disapproved by
24 the State educational agency, the State educational agency

1 shall reallocate such amount to one or more of its other
 2 local educational agencies.

3 “(f) RETURN OF FUNDS TO STATE EDUCATIONAL
 4 AGENCY; REALLOCATION.—

5 “(1) RETURN.—Except as provided in para-
 6 graph (2), upon the expiration of the 1-year period
 7 beginning on the date that a local educational agen-
 8 cy or educational service agency under this title re-
 9 ceives its allocation under this title—

10 “(A) such agency shall return to the State
 11 educational agency any funds from such alloca-
 12 tion that remain unobligated; and

13 “(B) the State educational agency shall re-
 14 allocate any such amount to local educational
 15 agencies or educational service agencies that
 16 have plans for using such amount for programs
 17 or activities on a timely basis.

18 “(2) REALLOCATION.—In any fiscal year, a
 19 local educational agency, may retain for obligation in
 20 the succeeding fiscal year—

21 “(A) an amount equal to not more than 25
 22 percent of the allocation it receives under this
 23 title for such fiscal year; or

24 “(B) upon a demonstration of good cause
 25 by such agency or consortium, a greater

1 amount approved by the State educational
2 agency.

3 **“SEC. 4114. GOVERNOR’S PROGRAMS.**

4 “(a) USE OF FUNDS.—

5 “(1) IN GENERAL.—An amount equal to 20
6 percent of the total amount allocated to a State
7 under section 4111(b)(1) for each fiscal year shall
8 be used by the chief executive officer of such State
9 for drug and violence prevention programs and ac-
10 tivities in accordance with this section.

11 “(2) ADMINISTRATIVE COSTS.—A chief execu-
12 tive officer may use not more than 5 percent of the
13 20 percent described in paragraph (1) for the ad-
14 ministrative costs incurred in carrying out the duties
15 of such officer under this section. The chief execu-
16 tive officer of a State may use amounts under this
17 paragraph to award grants to State, county, or local
18 law enforcement agencies, including district attor-
19 neys, in consultation with local education agencies or
20 community-based agencies, for the purposes of car-
21 rying out drug abuse and violence prevention activi-
22 ties.

23 “(b) STATE PLAN.—Amounts shall be used under
24 this section in accordance with a State plan submitted by

1 the chief executive office of the State. Such State plan
2 shall contain—

3 “(1) an objective analysis of the current use
4 (and consequences of such use) of alcohol, tobacco,
5 and controlled, illegal, addictive or harmful sub-
6 stances as well as the violence, safety, and discipline
7 problems among students who attend schools in the
8 State (including private school students who partici-
9 pate in the States’s drug and violence prevention
10 programs) that is based on ongoing local assessment
11 or evaluation activities;

12 “(2) an analysis, based on data reasonably
13 available at the time, of the prevalence of risk or
14 protective factors, buffers or assets or other re-
15 search-based variables in schools and communities in
16 the State;

17 “(3) a description of the research-based strate-
18 gies and programs, which shall be used to prevent
19 or reduce drug use, violence, or disruptive behavior,
20 which shall include—

21 “(A) a specification of the objectively
22 measurable goals, objectives, and activities for
23 the program;

1 “(B) a specification for how risk factors, if
 2 any, which have been identified will be targeted
 3 through research-based programs; and

4 “(C) a specification for how protective fac-
 5 tors, buffers, or assets, if any, will be targeted
 6 through research-based programs;

7 “(4) a specification for the method or methods
 8 by which measurements of program goals will be
 9 achieved; and

10 “(5) a specification for how the evaluation of
 11 the effectiveness of the prevention program will be
 12 assessed and how the results will be used to refine,
 13 improve, and strengthen the program.

14 “(c) PROGRAMS AUTHORIZED.—

15 “(1) IN GENERAL.—A chief executive officer
 16 shall use funds made available under subsection
 17 (a)(1) directly for grants to or contracts with parent
 18 groups, schools, community action and job training
 19 agencies, community-based organizations, commu-
 20 nity anti-drug coalitions, law enforcement education
 21 partnerships, and other public entities and private
 22 nonprofit organizations and consortia thereof. In
 23 making such grants and contracts, a chief executive
 24 officer shall give priority to programs and activities
 25 described in subsection (d) for—

1 “(A) children and youth who are not nor-
2 mally served by State or local educational agen-
3 cies; or

4 “(B) populations that need special services
5 or additional resources (such as preschoolers,
6 youth in juvenile detention facilities, runaway
7 or homeless children and youth, pregnant and
8 parenting teenagers, and school dropouts).

9 “(2) PEER REVIEW.—Grants or contracts
10 awarded under this subsection shall be subject to a
11 peer review process.

12 “(d) AUTHORIZED ACTIVITIES.—Grants and con-
13 tracts under subsection (c) shall be used to carry out the
14 comprehensive State plan as required under section
15 4112(a)(1) through programs and activities such as—

16 “(1) disseminating information about drug and
17 violence prevention;

18 “(2) the voluntary training of parents, law en-
19 forcement officials, judicial officials, social service
20 providers, health service providers and community
21 leaders about drug and violence prevention, health
22 education (as it relates to drug and violence preven-
23 tion), early intervention, pupil services, or rehabilita-
24 tion referral;

1 “(3) developing and implementing comprehen-
2 sive, community-based drug and violence prevention
3 programs that link community resources with
4 schools and integrate services involving education,
5 vocational and job skills training and placement, law
6 enforcement, health, mental health, community serv-
7 ice, service-learning, mentoring, and other appro-
8 priate services;

9 “(4) planning and implementing drug and vio-
10 lence prevention activities that coordinate the efforts
11 of State agencies with efforts of the State edu-
12 cational agency and its local educational agencies;

13 “(5) activities to protect students traveling to
14 and from school;

15 “(6) before-and-after school recreational, in-
16 structional, cultural, and artistic programs that en-
17 courage drug- and violence-free lifestyles;

18 “(7) activities that promote the awareness of
19 and sensitivity to alternatives to violence through
20 courses of study that include related issues of intol-
21 erance and hatred in history;

22 “(8) developing and implementing activities to
23 prevent and reduce violence associated with preju-
24 dice and intolerance;

1 “(9) developing and implementing strategies to
2 prevent illegal gang activity;

3 “(10) coordinating and conducting school and
4 community-wide violence and safety and drug abuse
5 assessments and surveys;

6 “(11) service-learning projects that encourage
7 drug- and violence-free lifestyles;

8 “(12) evaluating programs and activities as-
9 sisted under this section;

10 “(13) developing and implementing community
11 mobilization activities to undertake environmental
12 change strategies related to substance abuse and vio-
13 lence; and

14 “(14) partnerships between local law enforce-
15 ment agencies, including district attorneys, and local
16 education agencies or community-based agencies.

17 **“SEC. 4115. LOCAL APPLICATIONS.**

18 “(a) APPLICATION REQUIRED.—

19 “(1) IN GENERAL.—In order to be eligible to
20 receive a distribution under section 4113(d) for any
21 fiscal year, a local educational agency shall submit,
22 at such time as the State educational agency re-
23 quires, an application to the State educational agen-
24 cy for approval. Such an application shall be amend-

1 ed, as necessary, to reflect changes in the local edu-
2 cational agency's program.

3 “(2) DEVELOPMENT.—

4 “(A) CONSULTATION.—A local educational
5 agency shall develop its application under sub-
6 section (a)(1) in consultation with a local or
7 substate regional advisory council that includes,
8 to the extent possible, representatives of local
9 government, business, parents, students, teach-
10 ers, pupil services personnel, appropriate State
11 agencies, private schools, the medical profes-
12 sion, law enforcement, community-based organi-
13 zations, and other groups with interest and ex-
14 pertise in drug and violence prevention.

15 “(B) DUTIES OF ADVISORY COUNCIL.—In
16 addition to assisting the local educational agen-
17 cy to develop an application under this section,
18 the advisory council established or designated
19 under subparagraph (A) shall, on an ongoing
20 basis—

21 “(i) disseminate information about re-
22 search-based drug and violence prevention
23 programs, projects, and activities con-
24 ducted within the boundaries of the local
25 educational agency;

1 “(ii) advise the local educational agen-
 2 cy regarding how best to coordinate such
 3 agency’s activities under this part with
 4 other related programs, projects, and ac-
 5 tivities;

6 “(iii) ensure that a mechanism is in
 7 place to enable local educational agencies
 8 to have access to up-to-date information
 9 concerning the agencies that administer re-
 10 lated programs, projects, and activities and
 11 any changes in the law that alter the du-
 12 ties of the local educational agencies with
 13 respect to activities conducted under this
 14 part; and

15 “(iv) review program evaluations and
 16 other relevant material and make rec-
 17 ommendations on an active and ongoing
 18 basis to the local educational agency on
 19 how to improve such agency’s drug and vi-
 20 olence prevention programs.

21 “(b) CONTENTS OF APPLICATIONS.—An application
 22 under this section shall contain—

23 “(1) an objective analysis of the current use
 24 (and consequences of such use) of alcohol, tobacco,
 25 and controlled, illegal, addictive or harmful sub-

stances as well as the violence, safety, and discipline problems among students who attend the schools of the applicant (including private school students who participate in the applicant’s drug and violence prevention program) that is based on ongoing local assessment or evaluation activities;

“(2) an analysis, based on data reasonably available at the time, of the prevalence of risk or protective factors, buffers or assets or other research-based variables in the school and community;

“(3) a description of the research-based strategies and programs, which shall be used to prevent or reduce drug use, violence, or disruptive behavior, which shall include—

“(A) a specification of the objectively measurable goals, objectives, and activities for the program, which shall include—

“(i) reductions in the use of alcohol, tobacco, and illicit drugs and violence by youth;

“(ii) specific reductions in the prevalence of identified risk factors;

“(iii) specific increases in the prevalence of protective factors, buffers, or assets if any have been identified; or

1 “(iv) other research-based goals, ob-
 2 jectives, and activities that are identified
 3 as part of the application that are not oth-
 4 erwise covered under clauses (i) through
 5 (iii);

6 “(B) a specification for how risk factors, if
 7 any, which have been identified will be targeted
 8 through research-based programs; and

9 “(C) a specification for how protective fac-
 10 tors, buffers, or assets, if any, will be targeted
 11 through research-based programs;

12 “(4) a specification for the method or methods
 13 by which measurements of program goals will be
 14 achieved;

15 “(5) a specification for how the evaluation of
 16 the effectiveness of the prevention program will be
 17 assessed and how the results will be used to refine,
 18 improve, and strengthen the program;

19 “(6) an assurance that the applicant has, or the
 20 schools to be served have, a plan for keeping schools
 21 safe and drug-free that includes—

22 “(A) appropriate and effective discipline
 23 policies that prohibit disorderly conduct, the
 24 possession of firearms and other weapons, and
 25 the illegal use, possession, distribution, and sale

1 of tobacco, alcohol, and other drugs by stu-
 2 dents;

3 “(B) security procedures at school and
 4 while students are on the way to and from
 5 school;

6 “(C) prevention activities that are designed
 7 to create and maintain safe, disciplined, and
 8 drug-free environments; and

9 “(D) a crisis management plan for re-
 10 sponding to violent or traumatic incidents on
 11 school grounds; and

12 “(7) such other information and assurances as
 13 the State educational agency may reasonably re-
 14 quire.

15 “(c) REVIEW OF APPLICATION.—

16 “(1) IN GENERAL.—In reviewing local applica-
 17 tions under this section, a State educational agency
 18 shall use a peer review process or other methods of
 19 assuring the quality of such applications.

20 “(2) CONSIDERATIONS.—

21 “(A) IN GENERAL.—In determining wheth-
 22 er to approve the application of a local edu-
 23 cational agency under this section, a State edu-
 24 cational agency shall consider the quality of the
 25 local educational agency’s comprehensive plan

under subsection (b)(6) and the extent to which the proposed plan provides a thorough assessment of the substance abuse and violence problem, uses objective data and the knowledge of a wide range of community members, develops measurable goals and objectives, and implements research-based programs that have been shown to be effective and meet identified needs.

“(B) DISAPPROVAL.—A State educational agency may disapprove a local educational agency application under this section in whole or in part and may withhold, limit, or place restrictions on the use of funds allotted to such a local educational agency in a manner the State educational agency determines will best promote the purposes of this part, except that a local educational agency shall be afforded an opportunity to appeal any such disapproval.

“SEC. 4116. LOCAL DRUG AND VIOLENCE PREVENTION PROGRAMS.

“(a) PROGRAM REQUIREMENTS.—A local educational agency shall use funds received under this part to adopt and carry out a comprehensive drug and violence prevention program which shall—

1 “(1) be designed, for all students and school
2 employees, to—

3 “(A) prevent the use, possession, and dis-
4 tribution of tobacco, alcohol, and illegal drugs
5 by students and to prevent the illegal use, pos-
6 session, and distribution of such substances by
7 school employees;

8 “(B) prevent violence and promote school
9 safety; and

10 “(C) create a disciplined environment con-
11 ducive to learning;

12 “(2) include activities to promote the involve-
13 ment of parents and coordination with community
14 groups and agencies, including the distribution of in-
15 formation about the local educational agency’s
16 needs, goals, and programs under this part;

17 “(3) implement activities which shall only
18 include—

19 “(A) a thorough assessment of the sub-
20 stance abuse violence problem, using objective
21 data and the knowledge of a wide range of com-
22 munity members;

23 “(B) the development of measurable goals
24 and objectives;

1 “(C) the implementation of research-based
 2 programs that have been shown to be effective
 3 and meet identified goals; and

4 “(D) an evaluation of program activities;
 5 and

6 “(4) implement prevention programming activi-
 7 ties within the context of a research-based preven-
 8 tion framework.

9 “(b) USE OF FUNDS.—A comprehensive, age-appro-
 10 prium, developmentally-, and research-based drug and vio-
 11 lence prevention program carried out under this part may
 12 include—

13 “(1) drug or violence prevention and education
 14 programs for all students, from the preschool level
 15 through grade 12, that address the legal, social, per-
 16 sonal and health consequences of the use of illegal
 17 drugs or violence, promote a sense of individual re-
 18 sponsibility, and provide information about effective
 19 techniques for resisting peer pressure to use illegal
 20 drugs;

21 “(2) programs of drug or violence prevention,
 22 health education (as it relates to drug and violence
 23 prevention), early intervention, pupil services, men-
 24 toring, or rehabilitation referral, which emphasize

1 students' sense of individual responsibility and which
2 may include—

3 “(A) the dissemination of information
4 about drug or violence prevention;

5 “(B) the professional development or vol-
6 untary training of school personnel, parents,
7 students, law enforcement officials, judicial offi-
8 cials, health service providers and community
9 leaders in prevention, education, early interven-
10 tion, pupil services or rehabilitation referral;
11 and

12 “(C) the implementation of strategies, in-
13 cluding strategies to integrate the delivery of
14 services from a variety of providers, to combat
15 illegal alcohol, tobacco and drug use, such as—

16 “(i) family counseling; and

17 “(ii) activities, such as community
18 service and service-learning projects, that
19 are designed to increase students' sense of
20 community;

21 “(3) age-appropriate, developmentally based vi-
22 olence prevention and education programs for all
23 students, from the preschool level through grade 12,
24 that address the legal, health, personal, and social
25 consequences of violent and disruptive behavior, in-

cluding sexual harassment and abuse, and victimization associated with prejudice and intolerance, and that include activities designed to help students develop a sense of individual responsibility and respect for the rights of others, and to resolve conflicts without violence, or otherwise decrease the prevalence of risk factors or increase the prevalence of protective factors, buffers, or assets in the community;

“(4) violence prevention programs for school-aged youth, which emphasize students’ sense of individual responsibility and may include—

“(A) the dissemination of information about school safety and discipline;

“(B) the professional development or voluntary training of school personnel, parents, students, law enforcement officials, judicial officials, and community leaders in designing and implementing strategies to prevent school violence;

“(C) the implementation of strategies, such as conflict resolution and peer mediation, student outreach efforts against violence, anti-crime youth councils (which work with school and community-based organizations to discuss and develop crime prevention strategies), and

1 the use of mentoring programs, to combat
 2 school violence and other forms of disruptive
 3 behavior, such as sexual harassment and abuse;
 4 and

5 “(D) the development and implementation
 6 of character education programs, as a compo-
 7 nent of a comprehensive drug or violence pre-
 8 vention program, that are tailored by commu-
 9 nities, parents and schools; and

10 “(E) comprehensive, community-wide
 11 strategies to prevent or reduce illegal gang ac-
 12 tivities and drug use;

13 “(5) supporting ‘safe zones of passage’ for stu-
 14 dents between home and school through such meas-
 15 ures as Drug- and Weapon-Free School Zones, en-
 16 hanced law enforcement, and neighborhood patrols;

17 “(6) the acquisition or hiring of school security
 18 equipment, technologies, personnel, or services such
 19 as—

20 “(A) metal detectors;

21 “(B) electronic locks;

22 “(C) surveillance cameras; and

23 “(D) other drug and violence prevention-
 24 related equipment and technologies;

1 “(7) professional development for teachers and
 2 other staff and curricula that promote the awareness
 3 of and sensitivity to alternatives to violence through
 4 courses of study that include related issues of intolerance and hatred in history;

6 “(8) the promotion of before-and-after school
 7 recreational, instructional, cultural, and artistic programs in supervised community settings;

9 “(9) other research-based prevention programming that is—

11 “(A) effective in reducing the prevalence of
 12 alcohol, tobacco or drug use, and violence in
 13 youth;

14 “(B) effective in reducing the prevalence of
 15 risk factors predictive of increased alcohol, tobacco or drug use, and violence; or

17 “(C) effective in increasing the prevalence
 18 of protective factors, buffers, and assets predictive of decreased alcohol, tobacco or drug use
 19 and violence among youth;

21 “(10) the collection of objective data used to assess program needs, program implementation, or
 22 program success in achieving program goals and objectives;

1 “(11) community involvement activities includ-
2 ing community mobilization;

3 “(12) voluntary parental involvement and train-
4 ing;

5 “(13) the evaluation of any of the activities au-
6 thorized under this subsection;

7 “(14) the provision of mental health counseling
8 (by qualified counselors) to students for drug or vio-
9 lence related problems;

10 “(15) consistent with the fourth amendment to
11 the Constitution of the United States, the testing of
12 a student for illegal drug use or inspecting a stu-
13 dent’s locker for guns, explosives, other weapons, or
14 illegal drugs, including at the request of or with the
15 consent of a parent or legal guardian of the student,
16 if the local educational agency elects to so test or in-
17 spect; and

18 “(16) the conduct of a nationwide background
19 check of each local educational agency employee (re-
20 gardless of when hired) and prospective employees
21 for the purpose of determining whether the employee
22 or prospective employee has been convicted of a
23 crime that bears upon the employee’s or prospective
24 employee’s fitness—

1 “(A) to have responsibility for the safety or
2 well-being of children;

3 “(B) to serve in the particular capacity in
4 which the employee or prospective employee is
5 or will be employed; or

6 “(C) to otherwise be employed at all by the
7 local educational agency.

8 “(c) LIMITATIONS.—

9 “(1) IN GENERAL.—Not more than 20 percent
10 of the funds made available to a local educational
11 agency under this part may be used to carry out the
12 activities described in paragraphs (5) and (6) of sub-
13 section (b).

14 “(2) SPECIAL RULE.—A local educational agen-
15 cy shall only be able to use funds received under this
16 part for activities described in paragraphs (5) and
17 (6) of subsection (b) if funding for such activities is
18 not received from other Federal agencies.

19 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
20 tion shall be construed to prohibit the use of funds under
21 this part by any local educational agency or school for the
22 establishment or implementation of a school uniform pol-
23 icy so long as such policy is part of the overall comprehen-
24 sive drug and violence prevention plan of the State in-

1 volved and is supported by the State’s needs assessment
2 and other research-based information.

3 **“SEC. 4117. EVALUATION AND REPORTING.**

4 “(a) IMPACT EVALUATION.—

5 “(1) BIENNIAL EVALUATION.—The Secretary,
6 in consultation with the National Advisory Com-
7 mittee, shall conduct an independent biennial evalua-
8 tion of the impact of programs assisted under this
9 part and of other recent and new initiatives to com-
10 bat violence in schools. The evaluation shall report
11 on—

12 “(A) whether funded community and local
13 education agency programs—

14 “(i) provided a thorough assessment
15 of the substance abuse and violence prob-
16 lem;

17 “(ii) used objective data and the
18 knowledge of a wide range of community
19 members;

20 “(iii) developed measurable goals and
21 objectives; and

22 “(iv) implemented research-based pro-
23 grams that have been shown to be effective
24 and meet identified needs;

1 “(v) conducted periodic program eval-
 2 uations to assess progress made towards
 3 achieving program goals and objectives and
 4 whether they used evaluations to improve
 5 program goals, objectives and activities;

6 “(B) whether funded community and local
 7 education agency programs have been designed
 8 and implemented in a manner that specifically
 9 targets, if relevant to the program—

10 “(i) research-based variables that are
 11 predictive of drug use or violence;

12 “(ii) risk factors that are predictive of
 13 an increased likelihood that young people
 14 will use drugs, alcohol or tobacco or en-
 15 gage in violence or drop out of school; or

16 “(iii) protective factors, buffers, or as-
 17 sets that are known to protect children and
 18 youth from exposure to risk, either by re-
 19 ducing the exposure to risk factors or by
 20 changing the way the young person re-
 21 sponds to risk, and to increase the likeli-
 22 hood of positive youth development;

23 “(C) whether funded community and local
 24 education agency programs have appreciably re-
 25 duced the level of drug, alcohol and tobacco use

1 and school violence and the presence of firearms
2 at schools; and

3 “(D) whether funded community and local
4 educational agency programs have conducted ef-
5 fective parent involvement and voluntary train-
6 ing programs.

7 “(2) DATA COLLECTION.—The National Center
8 for Education Statistics shall collect data to deter-
9 mine the incidence and prevalence of social dis-
10 approval of drug use and violence in elementary and
11 secondary schools in the States.

12 “(3) BIENNIAL REPORT.—Not later than Janu-
13 ary 1, 2003, and every 2 years thereafter, the Sec-
14 retary shall submit to the President and Congress a
15 report on the findings of the evaluation conducted
16 under paragraph (1) together with the data collected
17 under paragraph (2) and data available from other
18 sources on the incidence and prevalence, age of
19 onset, perception of health risk, and perception of
20 social disapproval of drug use in elementary and sec-
21 ondary schools in the States. The Secretary shall in-
22 clude data submitted by the States pursuant to sub-
23 section (b)(2)(B).

24 “(b) STATE REPORT.—

1 “(1) IN GENERAL.—By December 1, 2002, and
 2 every 2 years thereafter, the chief executive officer
 3 of the State, in cooperation with the State edu-
 4 cational agency, shall submit to the Secretary a
 5 report—

6 “(A) on the implementation and outcomes
 7 of State programs under section 4114 and sec-
 8 tion 4113(b) and local educational agency pro-
 9 grams under section 4113(d), as well as an as-
 10 sessment of their effectiveness;

11 “(B) on the State’s progress toward at-
 12 taining its goals for drug and violence preven-
 13 tion under subsections (b)(1) and (c)(1) of sec-
 14 tion 4112; and

15 “(C) on the State’s efforts to inform par-
 16 ents of, and include parents in, violence and
 17 drug prevention efforts.

18 “(2) SPECIAL RULE.—The report required by
 19 this subsection shall be—

20 “(A) in the form specified by the Sec-
 21 retary;

22 “(B) based on the State’s ongoing evalua-
 23 tion activities, and shall include data on the in-
 24 cidence and prevalence, age of onset, perception
 25 of health risk, and perception of social dis-

1 approval of drug use and violence by youth in
2 schools and communities; and

3 “(C) made readily available to the public.

4 “(c) LOCAL EDUCATIONAL AGENCY REPORT.—

5 “(1) IN GENERAL.—Each local educational
6 agency receiving funds under this part shall submit
7 to the State educational agency such information
8 that the State requires to complete the State report
9 required by subsection (b), including a description of
10 how parents were informed of, and participated in,
11 violence and drug prevention efforts.

12 “(2) AVAILABILITY.—Information under para-
13 graph (1) shall be made readily available to the pub-
14 lic.

15 “(3) PROVISION OF DOCUMENTATION.—Not
16 later than January 1 of each year that a State is re-
17 quired to report under subsection (b), the Secretary
18 shall provide to the State education agency all of the
19 necessary documentation required for compliance
20 with this section.

21 **“SEC. 4118. PROGRAMS FOR NATIVE HAWAIIANS.**

22 “(a) GENERAL AUTHORITY.—From the funds made
23 available pursuant to section 4111(a)(4) to carry out this
24 section, the Secretary shall make grants to or enter into
25 cooperative agreements or contracts with organizations

1 primarily serving and representing Native Hawaiians
 2 which are recognized by the Governor of the State of Ha-
 3 waii to plan, conduct, and administer programs, or por-
 4 tions thereof, which are authorized by and consistent with
 5 the provisions of this title for the benefit of Native Hawai-
 6 ians.

7 “(b) DEFINITION OF NATIVE HAWAIIAN.—For the
 8 purposes of this section, the term ‘Native Hawaiian’
 9 means any individual any of whose ancestors were natives,
 10 prior to 1778, of the area which now comprises the State
 11 of Hawaii.

12 **“PART B—NATIONAL PROGRAMS**

13 **“SEC. 4121. FEDERAL ACTIVITIES.**

14 “(a) PROGRAM AUTHORIZED.—From funds made
 15 available to carry out this part under section 4004(2), the
 16 Secretary, in consultation with the Secretary of Health
 17 and Human Services, the Director of the Office of Na-
 18 tional Drug Control Policy, and the Attorney General,
 19 shall carry out programs to prevent the illegal use of drugs
 20 and violence among, and promote safety and discipline for,
 21 students at all educational levels from preschool through
 22 the post-secondary level. The Secretary shall carry out
 23 such programs directly, or through grants, contracts, or
 24 cooperative agreements with public and private nonprofit
 25 organizations and individuals, or through agreements with

1 other Federal agencies, and shall coordinate such pro-
2 grams with other appropriate Federal activities. Such pro-
3 grams may include—

4 “(1) the development and demonstration of in-
5 novative strategies for the voluntary training of
6 school personnel, parents, and members of the com-
7 munity, including the demonstration of model
8 preservice training programs for prospective school
9 personnel;

10 “(2) demonstrations and rigorous evaluations of
11 innovative approaches to drug and violence preven-
12 tion;

13 “(3) the provision of information on drug abuse
14 education and prevention to the Secretary of Health
15 and Human Services for dissemination by the clear-
16 inghouse for alcohol and drug abuse information es-
17 tablished under section 501(d)(16) of the Public
18 Health Service Act;

19 “(4) the development of curricula related to
20 child abuse prevention and education and the train-
21 ing of personnel to teach child abuse education and
22 prevention to elementary and secondary school-
23 children;

1 “(5) program evaluations in accordance with
2 section 10201 that address issues not addressed
3 under section 4117(a);

4 “(6) direct services to schools and school sys-
5 tems afflicted with especially severe drug and vio-
6 lence problems or to support crisis situations and
7 appropriate response efforts;

8 “(7) activities in communities designated as
9 empowerment zones or enterprise communities that
10 will connect schools to community-wide efforts to re-
11 duce drug and violence problems;

12 “(8) developing and disseminating drug and vi-
13 olence prevention materials, including video-based
14 projects and model curricula;

15 “(9) developing and implementing a comprehen-
16 sive violence prevention strategy for schools and
17 communities, that may include conflict resolution,
18 peer mediation, the teaching of law and legal con-
19 cepts, and other activities designed to stop violence;

20 “(10) the implementation of innovative activi-
21 ties, such as community service and service-learning
22 projects, designed to rebuild safe and healthy neigh-
23 borhoods and increase students’ sense of individual
24 responsibility;

1 “(11) grants to noncommercial telecommuni-
 2 cations entities for the production and distribution
 3 of national video-based projects that provide young
 4 people with models for conflict resolution and re-
 5 sponsible decisionmaking;

6 “(12) the development of education and train-
 7 ing programs, curricula, instructional materials, and
 8 professional training and development for preventing
 9 and reducing the incidence of crimes and conflicts
 10 motivated by hate in localities most directly affected
 11 by hate crimes; and

12 “(13) other activities that meet unmet national
 13 needs related to the purposes of this title.

14 “(b) PEER REVIEW.—The Secretary shall use a peer
 15 review process in reviewing applications for funds under
 16 this section.

17 **“SEC. 4122. NATIONAL COORDINATOR PROGRAM.**

18 “(a) IN GENERAL.—From amounts available to carry
 19 out this section under section 4004(3), the Secretary shall
 20 provide for the establishment of a National Coordinator
 21 Program under which the Secretary shall award grants to
 22 local education agencies for the hiring of drug prevention
 23 and school safety program coordinators.

24 “(b) USE OF FUNDS.—Amounts received under a
 25 grant under subsection (a) shall be used by local education

1 agencies to recruit, hire, and train individuals to serve as
 2 drug prevention and school safety program coordinators
 3 in schools with significant drug and school safety prob-
 4 lems. Such coordinators shall be responsible for devel-
 5 oping, conducting, and analyzing assessments of drug and
 6 crime problems at their schools, and administering the
 7 safe and drug free grant program at such schools.

8 **“SEC. 4123. SAFE AND DRUG FREE SCHOOLS AND COMMU-**
 9 **NITIES ADVISORY COMMITTEE.**

10 “(a) ESTABLISHMENT.—

11 “(1) IN GENERAL.—There is hereby established
 12 an advisory committee to be known as the ‘Safe and
 13 Drug Free Schools and Communities Advisory Com-
 14 mittee’ (referred to in this section as the ‘Advisory
 15 Committee’) to—

16 “(A) consult with the Secretary under sub-
 17 section (b);

18 “(B) coordinate Federal school- and com-
 19 munity-based substance abuse and violence pre-
 20 vention programs and reduce duplicative re-
 21 search or services;

22 “(C) develop core data sets and evaluation
 23 protocols for safe and drug free school- and
 24 community-based programs;

1 “(D) provide technical assistance and
2 training for safe and drug free school- and com-
3 munity-based programs;

4 “(E) provide for the diffusion of research-
5 based safe and drug free school- and commu-
6 nity-based programs; and

7 “(F) review other regulations and stand-
8 ards developed under this title.

9 “(2) COMPOSITION.—The Advisory Committee
10 shall be composed of representatives from—

11 “(A) the Department of Education,

12 “(B) the Centers for Disease Control and
13 Prevention;

14 “(C) the National Institute on Drug
15 Abuse;

16 “(D) the National Institute on Alcoholism
17 and Alcohol Abuse;

18 “(E) the Center for Substance Abuse Pre-
19 vention;

20 “(F) the Center for Mental Health Serv-
21 ices;

22 “(G) the Office of Juvenile Justice and
23 Delinquency Prevention;

24 “(H) the Office of National Drug Control
25 Policy; and

1 “(I) State and local governments, including
2 education agencies.

3 “(3) CONSULTATION.—In carrying out its du-
4 ties under this section, the Advisory Committee shall
5 annually consult with interested State and local co-
6 ordinators of school- and community-based sub-
7 stance abuse and violence prevention programs and
8 other interested groups.

9 “(b) PROGRAMS.—

10 “(1) IN GENERAL.—From amounts made avail-
11 able under section 4004(2) to carry out this part,
12 the Secretary, in consultation with the Advisory
13 Committee, shall carry out research-based programs
14 to strengthen the accountability and effectiveness of
15 the State, Governor’s, and national programs under
16 this title.

17 “(2) GRANTS, CONTRACTS OR COOPERATIVE
18 AGREEMENTS.—The Secretary shall carry out para-
19 graph (1) directly or through grants, contracts, or
20 cooperative agreements with public and nonprofit
21 private organizations and individuals or through
22 agreements with other Federal agencies.

23 “(3) COORDINATION.—The Secretary shall co-
24 ordinate programs under this section with other ap-
25 propriate Federal activities.

1 “(4) ACTIVITIES.—Activities that may be car-
2 ried out under programs funded under this section
3 may include—

4 “(A) the provision of technical assistance
5 and training, in collaboration with other Fed-
6 eral agencies utilizing their expertise and na-
7 tional and regional training systems, for Gov-
8 ernors, State education agencies and local edu-
9 cation agencies to support high quality, effective
10 programs that—

11 “(i) provide a thorough assessment of
12 the substance abuse and violence problem;

13 “(ii) utilize objective data and the
14 knowledge of a wide range of community
15 members;

16 “(iii) develop measurable goals and
17 objectives; and

18 “(iv) implement research-based activi-
19 ties that have been shown to be effective
20 and that meet identified needs;

21 “(B) the provision of technical assistance
22 and training to foster program accountability;

23 “(C) the diffusion and dissemination of
24 best practices and programs;

1 “(D) the development of core data sets and
2 evaluation tools;

3 “(E) program evaluations;

4 “(F) the provision of information on drug
5 abuse education and prevention to the Secretary
6 of Health and Human Services for dissemina-
7 tion by the Clearinghouse for Alcohol and Drug
8 Abuse Information established under section
9 501(d)(16) of the Public Health Service Act;
10 and

11 “(G) other activities that meet unmet
12 needs related to the purposes of this title and
13 that are undertaken in consultation with the
14 Advisory Committee.

15 **“SEC. 4124. HATE CRIME PREVENTION.**

16 “(a) GRANT AUTHORIZATION.—From funds made
17 available to carry out this part under section 4004(2) the
18 Secretary may make grants to local educational agencies
19 and community-based organizations for the purpose of
20 providing assistance to localities most directly affected by
21 hate crimes.

22 “(b) USE OF FUNDS.—

23 “(1) PROGRAM DEVELOPMENT.—Grants under
24 this section may be used to improve elementary and
25 secondary educational efforts, including—

1 “(A) development of education and train-
2 ing programs designed to prevent and to reduce
3 the incidence of crimes and conflicts motivated
4 by hate;

5 “(B) development of curricula for the pur-
6 pose of improving conflict or dispute resolution
7 skills of students, teachers, and administrators;

8 “(C) development and acquisition of equip-
9 ment and instructional materials to meet the
10 needs of, or otherwise be part of, hate crime or
11 conflict programs; and

12 “(D) professional training and develop-
13 ment for teachers and administrators on the
14 causes, effects, and resolutions of hate crimes
15 or hate-based conflicts.

16 “(2) IN GENERAL.—In order to be eligible to
17 receive a grant under this section for any fiscal year,
18 a local educational agency, or a local educational
19 agency in conjunction with a community-based orga-
20 nization, shall submit an application to the Secretary
21 in such form and containing such information as the
22 office may reasonably require.

23 “(3) REQUIREMENTS.—Each application under
24 paragraph (2) shall include—

1 “(A) a request for funds for the purposes
2 described in this section;

3 “(B) a description of the schools and com-
4 munities to be served by the grants; and

5 “(C) assurances that Federal funds re-
6 ceived under this section shall be used to sup-
7 plement, not supplant, non-Federal funds.

8 “(4) COMPREHENSIVE PLAN.—Each application
9 shall include a comprehensive plan that contains—

10 “(A) a description of the hate crime or
11 conflict problems within the schools or the com-
12 munity targeted for assistance;

13 “(B) a description of the program to be
14 developed or augmented by such Federal and
15 matching funds;

16 “(C) assurances that such program or ac-
17 tivity shall be administered by or under the su-
18 pervision of the applicant;

19 “(D) proper and efficient administration of
20 such program; and

21 “(E) fiscal control and fund accounting
22 procedures as may be necessary to ensure pru-
23 dent use, proper disbursement, and accurate ac-
24 counting of funds received under this section.

25 “(c) AWARD OF GRANTS.—

1 “(1) SELECTION OF RECIPIENTS.—The Sec-
 2 retary shall consider the incidence of crimes and
 3 conflicts motivated by bias in the targeted schools
 4 and communities in awarding grants under this sec-
 5 tion.

6 “(2) GEOGRAPHIC DISTRIBUTION.—The Sec-
 7 retary shall attempt, to the extent practicable, to
 8 achieve an equitable geographic distribution of grant
 9 awards.

10 “(3) DISSEMINATION OF INFORMATION.—The
 11 Secretary shall attempt, to the extent practicable, to
 12 make available information regarding successful hate
 13 crime prevention programs, including programs es-
 14 tablished or expanded with grants under this section.

15 “(d) REPORTS.—The Secretary shall submit to the
 16 Congress a report every two years which shall contain a
 17 detailed statement regarding grants and awards, activities
 18 of grant recipients, and an evaluation of programs estab-
 19 lished under this section.

20 **“PART C—GENERAL PROVISIONS**

21 **“SEC. 4131. DEFINITIONS.**

22 “‘In this part:

23 “(1) COMMUNITY-BASED ORGANIZATION.—The
 24 term ‘community-based organization’ means a pri-
 25 vate nonprofit organization which is representative

1 of a community or significant segments of a commu-
 2 nity and which provides educational or related serv-
 3 ices to individuals in the community.

4 “(2) DRUG AND VIOLENCE PREVENTION.—The
 5 term ‘drug and violence prevention’ means—

6 “(A) with respect to drugs, prevention,
 7 early intervention, rehabilitation referral, or
 8 education related to the illegal use of alcohol
 9 and the use of controlled, illegal, addictive, or
 10 harmful substances, including inhalants and an-
 11 abolic steroids;

12 “(B) prevention, early intervention, smok-
 13 ing cessation activities, or education, related to
 14 the use of tobacco by children and youth eligible
 15 for services under this title; and

16 “(C) with respect to violence, the pro-
 17 motion of school safety, such that students and
 18 school personnel are free from violent and dis-
 19 ruptive acts, including sexual harassment and
 20 abuse, and victimization associated with preju-
 21 dice and intolerance, on school premises, going
 22 to and from school, and at school-sponsored ac-
 23 tivities, through the creation and maintenance
 24 of a school environment that is free of weapons

1 and fosters individual responsibility and respect
2 for the rights of others.

3 “(3) HATE CRIME.—The term ‘hate crime’
4 means a crime as described in section 1(b) of the
5 Hate Crime Statistics Act of 1990.

6 “(4) NONPROFIT.—The term ‘nonprofit’, as ap-
7 plied to a school, agency, organization, or institution
8 means a school, agency, organization, or institution
9 owned and operated by one or more nonprofit cor-
10 porations or associations, no part of the net earnings
11 of which inures, or may lawfully inure, to the benefit
12 of any private shareholder or individual.

13 “(5) OBJECTIVELY MEASURABLE GOALS.—The
14 term ‘objectively measurable goals’ means prevention
15 programming goals defined through use of quan-
16 titative epidemiological data measuring the preva-
17 lence of alcohol, tobacco, and other drug use, vio-
18 lence, and the prevalence of risk and protective fac-
19 tors predictive of these behaviors, collected through
20 a variety of methods and sources known to provide
21 high quality data.

22 “(6) PROTECTIVE FACTOR, BUFFER, OR
23 ASSET.—The terms ‘protective factor’, ‘buffer’, and
24 ‘asset’ mean any one of a number of the community,
25 school, family, or peer-individual domains that are

1 known, through prospective, longitudinal research ef-
2 forts, or which are grounded in a well-established
3 theoretical model of prevention, and have been
4 shown to prevent alcohol, tobacco, or illicit drug use,
5 as well as violent behavior, by youth in the commu-
6 nity, and which promote positive youth development.

7 “(7) RISK FACTOR.—The term ‘risk factor’
8 means any one of a number of characteristics of the
9 community, school, family, or peer-individual do-
10 mains that are known, through prospective, longitu-
11 dinal research efforts, to be predictive of alcohol, to-
12 bacco, and illicit drug use, as well as violent behav-
13 ior, by youth in the school and community.

14 “(8) SCHOOL-AGED POPULATION.—The term
15 ‘school-aged population’ means the population aged
16 five through 17, as determined by the Secretary on
17 the basis of the most recent satisfactory data avail-
18 able from the Department of Commerce.

19 “(9) SCHOOL PERSONNEL.—The term ‘school
20 personnel’ includes teachers, administrators, coun-
21 selors, social workers, psychologists, nurses, librar-
22 ians, and other support staff who are employed by
23 a school or who perform services for the school on
24 a contractual basis.

1 **“SEC. 4132. MATERIALS.**

2 “(a) ‘ILLEGAL AND HARMFUL’ MESSAGE.—Drug
3 prevention programs supported under this part shall con-
4 vey a clear and consistent message that the illegal use of
5 alcohol and other drugs is illegal and harmful.

6 “(b) CURRICULUM.—The Secretary shall not pre-
7 scribe the use of specific curricula for programs supported
8 under this part, but may evaluate the effectiveness of such
9 curricula and other strategies in drug and violence preven-
10 tion.

11 **“SEC. 4133. PROHIBITED USES OF FUNDS.**

12 “No funds under this part may be used for—

13 “(1) construction (except for minor remodeling
14 needed to accomplish the purposes of this part); and

15 “(2) medical services, drug treatment or reha-
16 bilitation, except for pupil services or referral to
17 treatment for students who are victims of or wit-
18 nesses to crime or who use alcohol, tobacco, or
19 drugs.

20 **“SEC. 4134. QUALITY RATING.**

21 “(a) IN GENERAL.—The chief executive officer of
22 each State, or in the case of a State in which the constitu-
23 tion or law of such State designates another individual,
24 entity, or agency in the State to be responsible for edu-
25 cation activities, such individual, entity, or agency, is au-
26 thorized and encouraged—

1 “(1) to establish a standard of quality for drug,
2 alcohol, and tobacco prevention programs imple-
3 mented in public elementary schools and secondary
4 schools in the State in accordance with subsection
5 (b); and

6 “(2) to identify and designate, upon application
7 by a public elementary school or secondary school,
8 any such school that achieves such standard as a
9 quality program school.

10 “(b) CRITERIA.—The standard referred to in sub-
11 section (a) shall address, at a minimum—

12 “(1) a comparison of the rate of illegal use of
13 drugs, alcohol, and tobacco by students enrolled in
14 the school for a period of time to be determined by
15 the chief executive officer of the State;

16 “(2) the rate of suspensions or expulsions of
17 students enrolled in the school for drug, alcohol, or
18 tobacco-related offenses;

19 “(3) the effectiveness of the drug, alcohol, or
20 tobacco prevention program as proven by research;

21 “(4) the involvement of parents and community
22 members in the design of the drug, alcohol, and to-
23 bacco prevention program; and

1 “(5) the extent of review of existing community
2 drug, alcohol, and tobacco prevention programs be-
3 fore implementation of the public school program.

4 “(c) REQUEST FOR QUALITY PROGRAM SCHOOL
5 DESIGNATION.—A school that wishes to receive a quality
6 program school designation shall submit a request and
7 documentation of compliance with this section to the chief
8 executive officer of the State or the individual, entity, or
9 agency described in subsection (a), as the case may be.

10 “(d) PUBLIC NOTIFICATION.—Not less than once a
11 year, the chief executive officer of each State or the indi-
12 vidual, entity, or agency described in subsection (a), as
13 the case may be, shall make available to the public a list
14 of the names of each public school in the State that has
15 received a quality program school designation in accord-
16 ance with this section.”.

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